

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

CMFG LIFE INSURANCE COMPANY,  
CUMIS INSURANCE SOCIETY, AND  
MEMBERS LIFE INSURANCE COMPANY,

Plaintiffs,

vs.

CREDIT SUISSE SECURITIES (USA) LLC,

Defendant.

Case No. 14-cv-249

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**CUNA MUTUAL'S OPPOSITION TO  
CREDIT SUISSE SECURITIES (USA) LLC'S MOTION TO DISMISS  
THE COMPLAINT AND TO STRIKE THE JURY DEMAND**

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By motion dated July 30, 2014, Plaintiff CUNA Mutual<sup>1</sup> moved the Court for leave to file an amended complaint in the above-captioned case. Because the Court's acceptance of the proposed amended complaint would moot Defendant Credit Suisse's pending motion to dismiss and permit it, should it choose, to file a new motion directed toward the amended complaint, Credit Suisse has agreed not to argue that CUNA Mutual's failure to file an opposition to its original motion constitutes a waiver of CUNA Mutual's right to oppose that motion. Accordingly, CUNA Mutual has not and will not file a further response to Credit Suisse's pending motion unless directed to do so by the Court. In the event the Court denies CUNA Mutual's motion for leave to amend and Credit Suisse's prior motion to dismiss remains pending, CUNA Mutual respectfully requests that the Court permit it to file a brief in opposition to that motion at that time.

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<sup>1</sup> "CUNA Mutual" refers collectively to CMFG Life Insurance Company, CUMIS Insurance Society, Inc., and MEMBERS Life Insurance Company.

DATE: July 30, 2014

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